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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,756	08/28/2001	Koji Ogusu	01-193	3229
23400	7590	12/03/2003	EXAMINER	
POSZ & BETHARDS, PLC 11250 ROGER BACON DRIVE SUITE 10 RESTON, VA 20190			KOVALICK, VINCENT E	
			ART UNIT	PAPER NUMBER
			2673	6

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/939,756

Applicant(s)

OGUSU ET AL.

Examiner

Vincent E Kovalick

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to Applicant's Amendment dated July 31, 2003 in response to USPTO Office Action dated May 13, 2003. The amendments to the specification; the cancellation of claims 1-7 and Applicant's remarks have been noted and entered in the record.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishizuka et al. (USP 6,351,255) taken with Takada et al. (USP 4,907,859)

Relative to claim 8, Ishizuka et al. **teaches** a luminous display and its driving method (col. 5, lines 2-67; col. 6, lines 1-67 and col. 7, lines 1-30); Ishizuka et al. further **teaches** a driving method for driving luminous elements having a plurality of luminous elements, each of which is provided at an intersection of an anode line and a cathode line arranged in a matrix, the anode line being one of scan lines and drive lines and the cathode line being one of other of scan lines and drive lines, the driving method comprising the step of: driving the luminous element provided at an intersection of a desired drive line to emit light in synchronism with scanning while scanning the scan lines at a specific frequency (col. 5, lines 6-17).

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Ishizuka et al. **does not teach** said driving method wherein an already selected scanning lines is connected to a source voltage and a reverse bias is applied thereto, and at the same time remaining scanning lines other than the already selected scanning line are connected to a ground voltage so as to discharge a charge stored to the remaining scanning lines, in a course of switching from the already selected scanning line to a next scanning line.

Ishizuka et al. teaches a luminous display using luminous elements such as organic EL and its driving method.

Takada et al. **teaches** a liquid crystal device and image forming apparatus utilizing liquid crystal device (col. 2, lines 1-67 and col. 3, lines 1-10); Takada et al. further **teaches** said driving method wherein an already selected scanning lines is connected to a source voltage and a reverse bias is applied thereto, and at the same time remaining scanning lines other than the already selected scanning line are connected to a ground voltage so as to discharge a charge stored to the remaining scanning lines, in a course of switching from the already selected scanning line to a next scanning line (col. 10, lines 27-39).

Ishizuka et al. **does not specifically teach** scanning the scan lines at a specific frequency, though it would have been obvious to a person of ordinary skill in the art at the time of the invention in that it is well understood in the art an in common on practice that scanning display scan lines is done at a predefined specific frequency.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Ishizuika et al. the feature as taught by Takada et al. in order to provide an image forming apparatus capable of forming an image at high speed (Takada et al. col. 2, lines 49-51).

Regarding claim 10, Ishizuka et al. further **teaches** said driving method wherein the current injection type luminous element is an organic electroluminescent element (col. 5, lines 53-56).

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishizuka et al. as applied to claim 8 in item 3 hereinabove, and further in view of Sasaki et al. (USP 5,404,031). Relative to claim 9, Ishizuka et al. **does not teach** the said driving method wherein the luminous element is a current injection type luminous element.

Ishizuka et al. teaches a luminous display using luminous elements such as organic EL and its driving method.

Sasaki et al. **teaches** a semiconductor light emitting device (col. 2, lines 17-48); Sasaki et al. further **teaches** the said driving method wherein the luminous element is a current injection type luminous element (col. 1, lines 15-18 and col. 6, lines 50-56).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Ishizuka et al. the feature as taught by Sasaki et al. in order to make possible the advantage of providing a semiconductor light emitting device with increased light extraction efficiency thereby providing a semiconductor light emitting device with excellent intensity (col. 2, lines 37-44).

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


U. S. Patent No.	6,501,226	Lai et al.
U. S. Patent No.	6,002,206	Harrison et al.
U. S. Patent No.	5,844,368	Okuda et al.
U. S. Patent No.	4,652,872	Fujita


Responses

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E Kovalick whose telephone number is 703 306-3020. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703 305-4938. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 306-0377.


Vincent E. Kovalick
11/21/03


BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600